

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SEAN D. GADSON,

Petitioner,

No. C 06-5571CRB

v.

ORDER

DERRICK L. OLLISON, Warden, Ironwood
S.P.,

Respondent.

/

The Court denied the petition for habeas corpus by Memorandum and Order dated March 27, 2007. Now before the Court is petitioner's request for issuance of a certificate of appealability ("COA"). A judge shall grant a COA "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The certificate must indicate which issues satisfy this standard, see id. § 2253(c)(3), and the court of appeals is limited to considering only those claims. See Hiivala v. Wood, 195 F.3d 1098, 1103 (9th Cir. 1999); Fuller v. Roe, 182 F.3d 699, 702-03 (9th Cir. 1999).

The Court concludes that petitioner has made a "substantial showing" of denial of a constitutional right with respect to both related claims in his petition.

IT IS SO ORDERED.

Dated: April 4, 2007



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28